

LITTER CONTROL GRANT PROGRAM GUIDELINES

***FY2012 Grant Cycle
Applying for a Matching Grant for a Local
Litter Control Program
(July 1, 2011 thru June 30, 2012)***



West Virginia Department of Environmental Protection Rehabilitation Environmental Action Plan Recycling Program

Grant forms may be downloaded and completed online at:

<http://www.dep.wv.gov/dlr/reap/grantprograms>

It is the policy of the Department of Environmental Protection to provide its facilities, accommodations, services and programs to all persons without regards to sex, race, age, religion, national origin, ancestry, disability, or other protected group status. The Department of Environmental Protection is an Equal Opportunity Employer.

NOTICE

Letter of Explanation

Effective July 1, 2005, as a result of Senate Bill 428, the West Virginia Litter Control Grant Program was transferred from the West Virginia Division of Natural Resources to the West Virginia Department of Environmental Protection.

Upon reviewing the following legislative rule, which sets the guidelines and procedures for the Litter Control Grant Program, you will notice that the Division of Natural Resources and several references to the “Director” are still referenced. Senate Bill 428 transferred all authority and requirements of this rule to the Department of Environmental Protection and its Cabinet Secretary.

Until a new legislative rule can be enacted, please keep in mind that the West Virginia Department of Environmental Protection is now the authority overseeing these rules.

The current address to which you can submit your FY2012 application is:

West Virginia Department of Environmental Protection
REAP
601 57th Street SE
Charleston, WV 25304

If you have any questions, call:

REAP/ Recycling Program
(800) 322-5530 or
(304) 926-0499 ext. 1002 or ext. 1269

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
LITTER CONTROL GRANT
BOOKLET

CONTENTS

1. LITTER CONTROL GRANT INTERPRETIVE RULES
 - A. GENERAL
 - B. DEFINITIONS
 - C. APPLICABILITY
 - D. IN-KIND SERVICES
 - E. AUTHORIZED USE OF GRANT FUNDS
 - F. UNAUTHORIZED USE OF GRANT FUNDS
 - G. REPORTING REQUIREMENTS
 - H. GRANT WITHDRAWAL AND PENALTY
 - I. NONDISCRIMINATION PROVISION
 - J. UNEXPENDED FUNDS
 - K. REDUCTION IN THE LITTER CONTROL FUND
 - L. SUBMISSION INFORMATION
2. APPLICATION FOR LITTER CONTROL GRANT - INDIVIDUAL
 - A. LC-G-1
 - B. ESTIMATED BUDGET FORM
 - C. RESOLUTION FOR INDIVIDUAL APPLICATION (LC-G-3)
3. APPLICATION FOR LITTER CONTROL GRANT - COOPERATIVE
 - A. LC-G-2
 - B. ESTIMATED BUDGET FORM
 - C. RESOLUTION FOR COOPERATIVE APPLICANT (LC-G-4)
4. FINAL PERFORMANCE AND ACCOUNTING REPORT (LC-G-5)
 - A. EVALUATION OF ACCOMPLISHMENTS AND COLLECTION TOTALS
 - B. EXPENDITURES REPORT – GRANT FUNDS
 - C. MATCHING FUND REPORT

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
Division of Natural Resources
Series 6
Awarding of Matching Grants for Local Litter Control Programs
Interpretive Rules

§58-6-1. General.

1.1. Scope. The purpose of this rule is to provide interpretations and guidance concerning the awarding of matching grants for local litter control programs.

1.2. Authority. -- W.Va. Code §20-7-25

1.3. Filing Date. -- April 14, 2000

1.4. Effective Date. -- May 1, 2000

§58-6-2. Definitions.

Unless the context dictates otherwise, the following words and their meanings as used in this rule are defined below.

2.1. "Applicant" means the local government applying for a grant.

2.2. "Application" means Form LC-G-1 for use by single program applicant or Form LC-G-2 for use by cooperative program applicants.

2.3. "Cooperative Program" means a program involving two or more local governments and coordinated by one of the participating local governments.

2.4. "Coordinator" means the individual who is responsible for coordinating the implementation and administration of a cooperative program.

2.5. "Division" means the West Virginia Division of Natural Resources.

2.6. "Director" means the director of the West Virginia Division of Natural Resources.

2.7. "Grant" means matching grant funds allocated to an approved program applicant by the Division pursuant to W.Va. Code §20-7-25(b).

2.8. "Grant Period" means July 1 of a calendar year through June 30 of the subsequent calendar year.

2.9. "In-kind Services" means any personnel, equipment, supplies, or other items for a local litter control program supplied or obtained by the applicant with funds or by methods other than the use of grant moneys.

2.10. "Litter" means all waste material including, but not limited to, any garbage, refuse, trash, disposable package, container, can, bottle, paper, ashes, cigarette or cigar butt, carcass of any dead animal or any part thereof, or any other offensive or unsightly matter, but not including the wastes of primary processes of mining, logging, sawmilling, farming, or manufacturing.

2.11. "Litter Control Fund" means the fund created pursuant to W.Va. Code §20-7-26.

2.12. "Local Government" means a county commission as defined in W.Va. Code §7-7-1 or a municipal corporation as defined in W.Va. Code §8-1-2(a)(1).

2.13. "Local Litter Control Program" means a program sponsored by a local government for the purposes stated in its application.

2.14. "Resolution" means a resolution adopted by a local government that authorizes the creation of a local litter control program.

2.15. "Grantee" means the local government approved by the Division to receive a grant.

§58-6-3. Applicability.

3.1. Grants may be used by eligible local governments, singly or in cooperative groups, in a local litter control program.

3.2. The Division shall award grants for a period not greater than one (1) calendar year. Subsequent grants may be obtained by an applicant through submission of a revised application to the Division.

3.3. The Division shall award grants on a one-to-one matching basis. For each dollar budgeted by an applicant for a local litter control program, the Division shall award up to one (\$1) dollar in matching grant funds upon approval of the application. The Division reserves the right to limit the amount of a grant in accordance with the amount of money in the Litter Control Fund available for distribution as matching grants.

3.4. Grant awards are limited to a maximum amount of \$3000.00.

3.5. Applications must be postmarked no later than May 31 for consideration in the next grant period.

§58-6-4. In-kind Services.

4.1. The Division shall give credit for in-kind services when determining the amount of local government funding to be matched by a grant.

4.2. The Division shall value volunteer services at the minimum hourly wage unless the applicant can demonstrate that the services would normally be valued above that wage in the area served by the applicant's program.

4.3. The Division shall value donated equipment at its fair market value prorated over the life of the grant.

§58-6-5. Authorized Uses Of Grant Funds.

5.1. An applicant may use a grant for the initiation, continuation, or expansion of a local litter control program.

5.2 Authorized uses of grant funds in an approved local litter control program may include the following:

5.2.1. Enforcement of anti-litter statutes;

5.2.2. Expenses incurred in traveling to Division sponsored or approved workshops, conferences, or other meetings;

5.2.3. Implementation and administration of the approved litter control program;

5.2.4. Implementation of local litter cleanup campaigns;

5.2.5. Public informational and educational programs, such as those which increase public awareness or solicit public support in promoting citizen responsibility toward reducing litter;

5.2.6. Purchase of equipment which will specifically serve to fulfill litter control program objectives;

5.2.7. Research or development of local solid waste recycling programs;

5.2.8. Surveys and evaluation studies made for the purpose of identifying and prioritizing local littering problems;

5.2.9. Costs associated with razing abandoned buildings or other structures which are unsightly or offensive and promote possible health hazards; and

5.2.10. Other relevant items upon the approval of the Division.

§58-6-6. Unauthorized Uses of Grant Funds.

6.1. An applicant may not use a grant in any way to replace local funds currently budgeted or being used to maintain and operate a local litter control program during the grant period.

6.2. Applicants shall not use grant funds for expenditures not related to litter prevention, elimination, or control.

6.3. Applicants shall not use grant funds for the following:

6.3.1. To fund beautification projects such as landscaping (tree or shrub purchases) or the removal of roadside vegetation;

6.3.2. To purchase lawn, tree, or shrub maintenance equipment;

6.3.3. To purchase equipment routinely used to collect or transport solid waste;

6.3.4. To fund landfill operations or management;

6.3.5. To buy office furniture, or equipment, or to decorate or renovate an office; or

6.3.6 To pay for professional consultation or production in the development of litter control films, slide shows, or similar programs.

§58-6-7. Reporting Requirements.

7.1. The grantee shall submit a final performance and accounting report for approval on or before July 31 of the following year. The report shall include the following:

7.1.1. An evaluation of accomplishments in implementing the original proposal's work tasks;

7.1.2. An accounting of in-kind services provided;

7.1.3. An accounting of grant funds expended;

7.1.4. Evidence supporting in-kind services and grant expenditures; and

7.1.5. An analysis of the amount of litter collected or material recycled during the period.

§58-6-8. Grant Withdrawal and Penalty.

8.1. The Division reserves the right to withdraw a grant upon determination of unsatisfactory program compliance with either this rule or the specifications in the program application.

8.2. The Division may cancel a grant in the event a grantee fails to commence program activities within ninety days after receiving a notice of award from the Division.

8.3. An applicant is responsible for the payment to the State of West Virginia of two (2) times the total sum of a grant not properly used or accounted for pursuant to this rule. The total sum constitutes a debt owed by the applicant or its successors or assignees by appropriate legal action. At its option, the Division may proceed against any local government participating in a cooperative program for the total sum owed by the applicant or its successors or assignees, or may hold each local government participating in a cooperative program individually liable to the State of West Virginia for its pro rata share of the total liability.

8.4. The Division reserves the right to conduct an on-site inspection or audit of an applicant's program records during or after the grant period.

§58-6-9. Nondiscrimination Provision.

9.1. During the performance of the program described in the application, the applicant will not discriminate against any employee or individual applying for employment because of race, religion, color, sex, handicap, or national origin.

§58-6-10. Unexpended Funds.

10.1. All unexpended funds remaining at the end of the grant period shall be handled as follows:

10.1.1. If the applicant applies for a grant for the subsequent grant period, and the Division approves the application, unexpended funds shall be netted against the amount the grantee is eligible to receive;

10.1.2. If the grantee does not apply for a grant for the following grant period, unexpended funds shall return to the control of the Division.

§58-6-11. Reduction Of The Litter Control Fund.

11.1. Grants allocated under this rule are dependent upon the availability of funds collected pursuant to W.Va. Code §20-7-25. In the event that those funds are diminished by legislative action, the Division shall adjust the amount of each grant issued accordingly.

SUBMISSION INFORMATION

APPLICATION DEADLINE:

Applications may be hand delivered or sent by U.S. Mail. The application must be postmarked no later than May 31 for consideration of the next grant term.

CONTACT INFORMATION:

For questions concerning the application/grant process, contact the West Virginia Department of Environmental Protection's Recycling Unit at (800) 322-5530.

MAILING INFORMATION:

Applications should be mailed to:

**West Virginia Department of Environmental Protection
REAP – Recycling Program
601 57th St. SE
Charleston, WV 25304**

**FY2012 APPLICATION FOR THE REAP
MATCHING FUND LITTER CONTROL GRANT
PURSUANT TO §20-7-25(b) OF THE WEST VIRGINIA CODE**

Applicant's Name _____

Applicant's Address _____

City _____ State _____ County _____ Zip _____

Contact Person _____ Phone _____

Applicant's FEIN _____ Email _____

Physical Address _____

A. Area to be served by this program:

B. Person responsible for program organization and administration:

Name _____

Title _____

Phone _____

C. Date program is to begin: _____

D. This is a: _____ New Program _____ Ongoing Program

Applicant's Name _____

Provide a detailed description of the program and its intended objectives. (Failure to provide sufficient detail may result in disqualification of grant consideration.)

How will the program's accomplishments be measured?

	(A)		(B)		(C)
Line Item	Total Litter Control Budget		Applicant's Match		Grant Budget
	=		+		
					May not exceed \$3,000.00

Column (A) = Total litter control budget, includes all costs associated with project, including matching funds and in-kind services from applicant, as well as proposed grant funds.

Column (C) = The amount of grant funds to be used in this project.

Column (B) must equal or exceed Column (C).

Applicant's Name _____

Provide an explanation of need for the budget line items requested.

(**Example:** Personnel - Please describe the necessary job duties and or responsibilities required for the project.)

The applicant understands and agrees that the grant received upon the approval of this application will be used in accordance with West Virginia Administrative Regulations, Department of Environmental Protection, Series 6, and that the applicant shall be liable to the State of West Virginia pursuant to Section 7 of those regulations.

Signature of Authorized Person

Title

Date

**RESOLUTION AUTHORIZING AN APPLICATION FOR
A MATCHING FUND GRANT FOR LITTER CONTROL**

Whereas, the _____ recognize(s) the existence of a litter
problem within the boundaries of _____, and

Whereas, the West Virginia Litter Control Program of 1985 provides matching grants of
“litter control funds” through the West Virginia Department of Environmental
Protection for the purpose of establishing local litter control programs, and

Whereas, having reviewed and considered West Virginia Administrative Regulations,
Department of Environmental Protection, Series 6 and 7.

Be it resolved that the _____

Hereby endorse(s) and support(s) such a program for _____ as
is indicated in the attached application and

Hereby authorize(s) _____
to plan, budget, and apply for a grant that, if approved, will be used to fund said
program being in accord with the regulations governing use and expenditure of said
funds.

Adopted on: _____
Date

Signature of Authorized Person

Title

*****SAMPLE*****

**RESOLUTION AUTHORIZING AN APPLICATION FOR
A MATCHING FUND GRANT FOR LITTER CONTROL**

Whereas, the County Commissioners recognize(s) the existence of a litter problem within the boundaries of Kanawha County, and

Whereas, the West Virginia Litter Control Program of 1985 provides matching grants of “litter control funds” through the West Virginia Department of Environmental Protection for the purpose of establishing local litter control programs, and

Whereas, having reviewed and considered West Virginia Administrative Regulations, Department of Environmental Protection, Series 6 and 7.

Be it resolved that the County Commissioners

Hereby endorse(s) and support(s) such a program for Kanawha County as is indicated in the attached application and

Hereby authorize(s) John Doe, Kanawha County Administrator to plan, budget, and apply for a grant that, if approved, will be used to fund said Program being in accord with the Regulations governing use and expenditure of said funds.

Adopted on: _____
Date

Signature of Authorized Person

Title

**FY2012 APPLICATION FOR THE REAP
MATCHING FUND LITTER CONTROL GRANT
PURSUANT TO §20-7-25(b) OF THE WEST VIRGINIA CODE
COOPERATIVE PROGRAM**

Applicant's Name _____

Primary Applicant's Address _____

City _____ State _____ County _____ Zip _____

Contact Person _____ Phone _____

Email Address _____

Primary Applicant's FEIN _____

Physical Address _____

A. Area to be served by this program: _____

B. Person responsible for program organization and administration:

Name _____

Title _____

Phone _____

C. Date program is to begin: _____

D. This is a: _____ New Program _____ Ongoing Program

Applicant's Name _____

Provide a detailed description of the program and its intended objectives. (Failure to provide sufficient detail may result in disqualification of grant consideration.)

How will the program's accomplishments be measured?

	(A)		(B)		(C)
Line Item	Total Litter Control Budget		Applicant's Match		Grant Budget
		=		+	

May not exceed \$3,000.00

Column (A) = Total litter control budget, includes all cost associated with project including matching funds and in-kind services from applicant, as well as proposed grant funds.

Column (C) = The amount of grant funds to be used in this project.

Column (B) must equal or exceed Column (C).

Applicant's Name _____

Provide an explanation of need for the budget line items requested.

(Example: Personnel – Please describe the necessary job duties and/or responsibilities required for the project.)

The applicants understand and agree that the grant received upon the approval of this application will be used in accordance with West Virginia Administrative Regulations, Department of Environmental Protection, Series 6, and that the applicant shall be liable to the State of West Virginia pursuant to Section 7 of those regulations.

Signature of Authorized Person

Title

Date

**RESOLUTION AUTHORIZING A COOPERATIVE PROGRAM APPLICATION
FOR A MATCHING FUND GRANT FOR LITTER CONTROL**

Whereas, the _____ recognize the existence of a litter problem within the boundaries of _____, and

Whereas, the West Virginia Litter Control Program of 1985 provides matching grants of “litter control funds” through the West Virginia Department of Environmental Protection for the purpose of establishing local litter control programs, and

Whereas, having reviewed and considered West Virginia Administrative Regulations, Department of Environmental Protection, Series 6 and 7.

Be it resolved that the _____

Hereby endorse and support such a program for the _____ and expresses the intent to combine with _____ in a mutually agreed upon and Cooperative Program contingent upon approval of the application by the Department of Environmental Protection, and

Hereby authorize _____ to apply on behalf of all of the above named local governments for a grant, and to be responsible for the administration and implementation of the program as it is described in the attached application, and

Further accepts responsibility jointly with _____ for all phases of the program, and

Further accepts liability for its pro rata share of any funds not properly used or accounted for pursuant to the regulations and the application, and understands and agrees that, at its option, the Department of Environmental Protection may hold any local government participating in a cooperative program liable for the total sum owed by the applicant or its successors or assignees, and

Agrees that grant funds will be used in the Cooperative Program to which we give our endorsement and support.

Hereby requests the Department of Environmental Protection to consider and approve the application and program, said program being in accord with regulations governing use and expenditure of said funds.

Adopted on: _____
Date

Signature of Authorized Person

Title

**RESOLUTION AUTHORIZING A COOPERATIVE PROGRAM APPLICATION
FOR A MATCHING FUND GRANT FOR LITTER CONTROL**

Whereas, the City Council recognize the existence of a litter problem within the boundaries of the City of Dunbar, and

Whereas, the West Virginia Litter Control Program of 1985 provides matching grants of “litter control funds” through the West Virginia Department of Environmental Protection for the purpose of establishing local litter control programs, and

Whereas, having reviewed and considered West Virginia Administrative Regulations, Department of Environmental Protection, Series 6 and 7.

Be it resolved that the City Council

Hereby endorse and support such a program for the City of Dunbar and expresses the intent to combine with Cities of Charleston and South Charleston in a mutually agreed upon and Cooperative Program contingent upon approval of the application by the Department of Environmental Protection, and

Hereby authorize City of Charleston to apply on behalf of all of the above named local governments for a grant, and to be responsible for the administration and implementation of the program as it is described in the attached application, and

Further accepts responsibility jointly with the Cities of Charleston and South Charleston for all phases of the program, and

Further accepts liability for its pro rata share of any funds not properly used or accounted for pursuant to the regulations and the application, and understands and agrees that, at its option, the Department of Environmental Protection may hold any local government participating in a cooperative program liable for the total sum owed by the applicant or its successors or assignees, and

Agrees that grant funds will be used in the Cooperative Program to which we give our endorsement and support.

Hereby requests the Department of Environmental Protection to consider and approve the application and program, said program being in accord with regulations governing use and expenditure of said funds.

Adopted on: _____
Date

Signature of Authorized Person

Title

FY2012 REAP LITTER GRANT FINAL PERFORMANCE AND ACCOUNTING REPORT FORM

GRANT PERIOD: _____ THROUGH _____

Applicant's Name _____

Applicant's Address _____

City _____ State _____ County _____ Zip _____

Report Prepared By: _____

Title: _____ Phone: _____

Provide an evaluation of accomplishments in implementing the original proposal's work tasks.

Provide an analysis of the amount of litter collected or material recycled during the grant period.

Signature of Authorized Person

Date

EXPENDITURES REPORT
LITTER CONTROL GRANT FUNDS

LC-G-5

Applicant's Name _____

ACTUAL GRANT EXPENDITURES

DATE	CHECK #	TO	PURPOSE	AMOUNT

TOTAL GRANT FUNDS EXPENDED _____

ATTACH COPY OF BANK STATEMENT SHOWING THE DEPOSIT OF THE GRANT FUNDS INTO YOUR ACCOUNT.

You must attach copies of checks and invoices to support the expenditures listed above.
Unsupported expenditures will be disallowed by the Department of Environmental Protection.

**MATCHING FUND REPORT
LITTER CONTROL GRANT**

LC-G-5

Applicant's Name _____

ACTUAL CASH EXPENDITURES

DATE	CHECK #	TO	PURPOSE	AMOUNT

PROPERTY DONATED AT FAIR MARKET VALUE

DATE DONATED	DESCRIPTION	USE IN PROGRAM	AGE OF PROPERTY	ESTIMATED FAIR VALUE

VOLUNTEER SERVICES PROVIDED WITHOUT COMPENSATION

USE MINIMUM WAGE RATE UNLESS JUSTIFIED IN USING HIGHER WAGE RATE

NAME OF VOLUNTEER	SERVICE PROVIDED	HOURS	WAGE RATE	HRS X RATE

ATTACH COPIES OF CHECKS, INVOICES, TIME SHEETS, TITLES, OR OTHER EVIDENCE TO SUPPORT THESE EXPENDITURES AND ESTIMATES.

MAKE ADDITIONAL COPIES OF THIS FORM AS NECESSARY TO CONTINUE LISTING EXPENDITURES.